

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, OCTOBER 19, 2005**

UNAPPROVED
NOVEMBER 9, 2005

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Ronald W. Koch, Sully District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Janet R. Hall, Mason District

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The meeting was called to order at 8:19 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION GO INTO CLOSED SESSION FOR CONSULTATION WITH LEGAL COUNSEL PERTAINING TO SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY COUNSEL, SPECIFICALLY WITH REGARD TO *KELO v. THE CITY OF NEW LONDON*, REGARDING THE POWERS OF EMINENT DOMAIN, PURSUANT TO *CODE OF VIRGINIA* SECTION 2.1-344 (A) (7).

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

The closed session was called to order at 8:25 p.m. in the Board of Supervisors' Conference Room, Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035, by Chairman Peter F. Murphy, Jr. and was adjourned at 8:59 p.m.

Following the closed session, Commissioner Harsel MOVED THAT THE PLANNING COMMISSION MEMBERS CERTIFY THAT TO THE BEST OF THEIR KNOWLEDGE ONLY THE PUBLIC BUSINESS MATTER LAWFULLY EXEMPTED FROM THE OPEN MEETING REQUIREMENTS PRESCRIBED BY THE *VIRGINIA FREEDOM OF INFORMATION ACT* AND ONLY THE MATTER IDENTIFIED IN THE MOTION TO

CONVENE CLOSED SESSION WAS HEARD, DISCUSSED, OR CONSIDERED BY THE PLANNING COMMISSION DURING THAT SESSION.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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Commissioner Murphy MOVED THAT THE PUBLIC HEARING ON RZ 2005-SP-012, JEFFREY A. GOLDBERG, MANAGER OF BO-BUD RESIDENTIAL, LLC, BE DEFERRED TO A DATE CERTAIN OF NOVEMBER 9, 2005.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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Commissioner Alcorn noted that the Planning Commission's Environment Committee had met earlier this evening with the Environmental Quality Advisory Committee to review a stream protection tools matrix that had been developed by Fairfax County staff. He said the purpose of the matrix was to help the Committee prioritize its focus for the coming months to examine the County's parking requirements and its associated environmental issues. Commissioner Alcorn indicated that the Committee would also be receiving information on additional maps and on the technical value of protection of elevated lands in the County's watersheds. He added that the Committee would meet again in the near future.

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Commissioner de la Fe announced that the Planning Commission's Transportation Committee would meet on Wednesday, October 26, 2005, at 7:30 p.m. in the Board Conference Room, to receive a briefing on the Transportation Element of the Policy Plan update.

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Chairman Murphy reminded Commissioners that the Planning Commission would not meet tomorrow, Thursday, October 20, 2005.

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RZ 2003-MV-060 - D. R. HORTON, INC.

FDP 2003-MV-060 - D. R. HORTON, INC. (Decisions Only)

(The public hearing on these applications was held on July 14, 2005. A complete verbatim transcript of the decisions made is included in the date file.)

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS DENIAL OF RZ 2003-MV-060 AND THE CONCEPTUAL DEVELOPMENT PLAN AS SUBMITTED.

Commissioners Harsel and Koch seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION DENY FDP 2003-MV-060.

Commissioners Wilson and Lusk seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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RZ 2004-MV-041 - MHI HUNTINGTON LLC

FDP 2004-MV-041 - MHI HUNTINGTON LLC

SE 2004-MV-035 - MHI HUNTINGTON LLC (Decisions Only)

(The public hearing on these applications was held on October 6, 2005. A complete verbatim transcript of the decisions made is included in the date file.)

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2004-MV-041 AND THE CONCEPTUAL DEVELOPMENT PLAN (CDP), SUBJECT TO THE EXECUTION OF PROFFERS DATED OCTOBER 14, 2005, AND THE PROPOSED CDP CONDITIONS DATED OCTOBER 19, 2005, AS REVISED WITH THE DELETION OF PROPOSED CDP CONDITION NUMBER 1 REGARDING INTERPARCEL ACCESS TO THE HUNTINGTON COMMUNITY.

Commissioner Lusk seconded the motion which carried by a vote of 10-0-1 with Commissioner Murphy abstaining; Commissioner Hall absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2004-MV-041, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2004-MV-041 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Lusk seconded the motion which carried by a vote of 10-0-1 with Commissioner Murphy abstaining; Commissioner Hall absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2004-MV-035, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED SEPTEMBER 29, 2005.

Commissioner Lusk seconded the motion which carried by a vote of 10-0-1 with Commissioner Murphy abstaining; Commissioner Hall absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ADJACENT TO THE SINGLE-FAMILY DETACHED DWELLING UNITS, IN FAVOR OF THAT SHOWN ON THE CDP/FDP/SE PLAT.

Commissioner Lusk seconded the motion which carried by a vote of 10-0-1 with Commissioner Murphy abstaining; Commissioner Hall absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE REQUIREMENT FOR A MINIMUM 200 SQUARE FOOT PRIVACY YARD FOR THE SINGLE-FAMILY ATTACHED DWELLING UNITS.

Commissioner Lusk seconded the motion which carried by a vote of 10-0-1 with Commissioner Murphy abstaining; Commissioner Hall absent from the meeting.

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RZ 2005-MV-001 - BROOKFIELD RIDGE ROAD

FDP 2005-MV-001 - BROOKFIELD RIDGE ROAD (Decisions Only)

(The public hearing on these applications was held on July 13, 2005. A complete verbatim transcript of the decisions made is included in the date file.)

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2005-MV-001, SUBJECT TO THE EXECUTION OF PROFFERS DATED OCTOBER 18, 2005, AND AMENDED AS FOLLOWS:

- ON PAGE 9, REPLACE LINE 5 OF PROFFER 5N WITH THE FOLLOWING WORDS: "THE BACKYARD SHALL BE GRADED TO DIVERT SURFACE WATER AWAY FROM THE HOUSE. IF NECESSARY, THE EXISTING DECK AND HEAT PUMP SHALL BE MOVED FOR GRADING AND THEN REPLACED. AFTER GRADING IS COMPLETED, AN AREAWAY SHALL BE CONSTRUCTED WITH A TOP MINIMUM OF ONE FOOT ABOVE THE 100-YEAR WATER SURFACE ELEVATION AS A SAFETY FACTOR DETERMINED BY THE APPLICANT'S ENGINEER."
- IN THE SECOND LINE UP FROM THE BOTTOM OF PAGE 9, CHANGE THE ESCROW AMOUNT FROM \$3,000 TO \$5,000.
- IN THE SECOND LINE OF PAGE 10, ADD "AND REPLACEMENT OF ANY TREES LOST DUE TO GRADING" AFTER "...IMPROVEMENTS ON LOT 21."

Commissioner Lusk seconded the motion which carried by a vote of 7-1-3 with Commissioner Wilson opposed; Commissioners Alcorn, Harsel, and Murphy abstaining; Commissioner Hall absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2005-MV-001, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS IN ATTACHMENT 2 OF THE STAFF REPORT AND THE BOARD OF SUPERVISORS' APPROVAL OF RZ 2005-MV-001 AND THE CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Lusk seconded the motion which carried by a vote of 7-1-3 with Commissioner Wilson opposed; Commissioners Alcorn, Harsel, and Murphy abstaining; Commissioner Hall absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRAIL LOCATION REQUIRED FOR THE SOUTHERN HALF OF THIS SITE.

Commissioner Lusk seconded the motion which carried by a vote of 8-1-2 with Commissioner Wilson opposed; Commissioners Alcorn and Murphy abstaining; Commissioner Hall absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE MAXIMUM PERCENTAGE OF PIPESTEM LOTS BE GRANTED TO PERMIT 30 PERCENT PIPESTEM LOTS.

Commissioner Lusk seconded the motion which carried by a vote of 7-1-3 with Commissioner Wilson opposed; Commissioners Alcorn, Harsel, and Murphy abstaining; Commissioner Hall absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. 2232-Y04-19 - NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INC.
2. 2232-V04-16 - FAIRFAX COUNTY PARK AUTHORITY
3. RZ 2005-SU-007 - CARL BERNSTEIN, TRUSTEE AND HORACIO MAGALHAES, TRUSTEES

This order was accepted without objection.

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2232-Y04-19 - NEXTEL COMMUNICATIONS OF THE MID-ATLANTIC, INC. - Appl. to develop a Nextel telecommunications facility consisting of an equipment building, 12 antenna and a 7-foot extension on an existing Dominion Virginia Power Transmission Pole, located at Old Lee Road, in the northeast quadrant of the intersection of Stonecroft Boulevard and Old Lee Road. Tax Map 43-2 ((1)) 0001A. Area III. Copies of the application and a more specific description of the facility may be obtained from the Dept. of Planning and Zoning, 7th fl., Herrity Building, 12055 Government Center Pkwy., Fairfax. SULLY DISTRICT. PUBLIC HEARING.

Commissioner Koch asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Koch for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION FIND 2232-Y04-19, AS AMENDED, SUBSTANTIALLY IN ACCORD WITH PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Hart seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioner Hall absent from the meeting.

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2232-V04-16 - FAIRFAX COUNTY PARK AUTHORITY - Appl. for Laurel Hill Park proposed to be a Countywide Park on a portion of the former D.C. Correctional Facility property at Lorton. Tax Maps 107-2 ((1)) 55, 56; 107-3 ((1)) 19 (pt.); and 113-1 ((1)) 15 (pt.). Area IV. Copies of the application and a more specific description of the facility may be obtained from the Dept. of Planning and Zoning, 7th fl., Herrity Building, 12055 Government Center Pkwy., Fairfax. MOUNT VERNON DISTRICT. PUBLIC HEARING.

Leanna Hush, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended that the Planning Commission find the proposal by the Fairfax County Park Authority (FCPA) to be substantially in accord with provisions of the adopted Comprehensive Plan.

Kelly Davis, Special Projects Branch, FCPA, stated that the proposal had been approved by the FCPA Board in July 2004. She indicated that the park master planning team included staff members from FCPA, DPZ, the Northern Virginia Regional Park Authority, and the Fairfax County Department of Transportation to coordinate efforts with other County agencies on the planning and maintenance activities within the subject site. She explained that the County and FCPA websites had been updated regularly to inform citizens of current planning activities and upcoming events and allow citizens to respond to comments and ask questions on FCPA's online discussion forum and obtain information from the park planning team. She noted that the planning process had begun in April 2003. Ms. Davis said FCPA staff had met with community groups including the South County Federation, Mount Vernon Community Citizens Association, the South Springfield Alliance, the Athletic Council, and the Architectural Review Board. She explained that neighborhood park facilities such as playground areas, picnic areas, and access trails would be located in areas adjacent to residential properties, but larger proposed facilities such as the equestrian center, the central greens, Sportsplex, and heritage recreation area would not be, with exception to the Cold War museum, which would be located across from the residential development on Hooes Road on the former NIKE Missile Launch site.

In response to a question from Chairman Murphy, Ms. Davis stated that FCPA had proposed to preserve the existing core buildings on the NIKE Control site.

Continuing her presentation, Ms. Davis said the proposed park would incorporate both heritage resources and active recreation. She addressed concerns regarding the proposed athletic field on the NIKE Control site, noting that the field would not be located on the highest elevation of the property; the proposal was in conformance with the Comprehensive Plan as determined by DPZ; the field lighting system would utilize the best available technology to control offsite glare, ambient light, and night glow effects; and the field would be located approximately 2,000 feet from the nearest residential area. She described the proposed uses of the preserved buildings of the NIKE Missile site and noted that buildings that were not considered historic as specified by the "Historic Structures Determination of Eligibility Report: Lorton Correctional Complex" would be removed.

Responding to a question from Commissioner de la Fe, Ms. Davis estimated that approximately 14 ball fields would be located on the site.

In response to a question from Commissioner Hart, Kirk Holley, Park Planning Branch, FCPA, explained that a 2003 feasibility study commissioned by FCPA had identified Laurel Hill as an ideal location for an equestrian center. He said a similar equestrian facility would be considered at Sully Woodlands Park.

Commissioner Wilson noted that she had sent Commissioners a memorandum dated October 18, 2005, detailing her concerns regarding the NIKE site, a copy of which is in the date file.

Responding to questions from Commissioner Wilson, Ms. Davis said a site did not need to obtain National Register of Historic Places eligibility to be conserved and protected under the County's Comprehensive Plan. She stated that the proposed ball field would be integrated with the existing ball fields on the high school site, parking facilities would be provided at the NIKE Control site, and bathroom facilities would be located on the subject site. Ms. Davis explained that downward-aiming lighting fixtures and external visors on the proposed field would shield excess light from nearby communities. She then agreed to provide the Commission with the list of buildings that would be preserved or used at the former NIKE Command and Control site.

Commissioner Wilson reported that the County Attorney's Office had agreed to investigate the issue of whether this proposal was in compliance with the Comprehensive Plan regarding the conservation and protection of the existing buildings on the NIKE site. Chairman Murphy argued that it was inappropriate to make this request since the Planning Commission was required by the *Code of Virginia* to determine whether a 2232 application was in conformance with the Plan. Commissioner Byers concurred.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

Robert Doherty, 1040 Harrison Circle, Alexandria, representing the Cold War Museum, spoke in favor of the application. He stated that a Phase II proposal for the museum to be located on the NIKE Missile Launch site would be submitted to FCPA staff for review before the end of the year, noting that the first building was planned to open in Fall 2006. He requested that the NIKE Missile Command and Control site remain available to the museum as an annex for archival research, artifact restoration, storage, and education purposes as proposed by Phase I. He suggested that FCPA staff work with area residents to resolve the issue regarding the number and placement of the lighted ball fields.

Neal McBride, 8105 Winter Blue Court, Springfield, representing the South Run Coalition, expressed support for the proposal, citing recognition of cultural and environmental elements on the entire Laurel Hill property and creative stewardship provided by County staff. He requested that the preservation, protection, stabilization, and availability for adaptive reuse of the buildings at the NIKE Command and Control site be accurately depicted in the "Laurel Hill Park Area Details" brochure. He recommended that the preservation and protection of the Lindsay Family Graveyard and the restoration, clean-up, stabilization, and planning needed at the Laurel Hill Plantation House and its Formal Gardens be clarified and adequately addressed. (A copy of his remarks is in the date file.)

Marty Schirmacher, 9534 Third Place, Lorton, Chairman of the South County Federation's Land Use Committee, stated that the federation had worked with FCPA staff to reach an agreement on the proposal. He noted that area residents had objected to the location and lighting of the proposed athletic field and expressed concerns that the field would be used by nonresidential leagues and activities until 11:00 p.m. seven days a week. He stated that the federation had voted unanimously to oppose the application, but would support it if the field was removed.

John Fedorshik, 9000 Ridgely Drive, Lorton, representing the Lorfax Heights Civic Association, expressed concern about the historical significance of the NIKE Command and Control site, the impact of the field lighting on the residents of Hooes Road, the adjacency of the site to an environmentally sensitive area, and the impact on deer migration. He questioned why FCPA staff had chosen to remove only one of the two fields.

Linda Byrne, 2801 Oakton Manor Court, Oakton, indicated her support of the application, citing the equestrian center, horse trails, and because it was in accordance with the requirements of the Reuse Plan and the Comprehensive Plan. She then read a statement of support from Beverly Dickerson, a copy of which is in the date file. (A copy of her remarks is in the date file.)

There being no more speakers, Chairman Murphy called for a rebuttal statement from Ms. Davis.

Ms. Davis stated that FCPA staff was working with Francis Gary Powers, Jr., Founder of the Cold War Museum, to secure temporary office space and store materials onsite until the museum opened. She agreed to correct the "Laurel Hill Park Area Details" brochure as requested by Mr. McBride. She explained that the Master Plan stated that Resource Management Division staff would provide technical assistance for the preservation of the Laurel Hill Plantation House. She noted that FCPA supported volunteer efforts to remove invasive plantings from the Formal Gardens; however, she said Resource Management staff was concerned about the replacement of the removed plantings prior to a plan being developed by FCPA. She claimed that the field lights would only operate during games, which would not occur seven days a week.

In response to a question from Commissioner Wilson, Ms. Davis indicated that FCPA had removed the field near the closely affected residential area to the west due to resident concerns.

Robert Betsold, Project Manager, FCPA, responded to questions from Commissioner Wilson regarding the negotiations between FCPA and the Laurel Hill Sports Foundation, a non-profit organization, for the proposed uses at the Sportsplex and the NIKE Recreational area.

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION FIND 2232-V04-16, AS AMENDED, SUBSTANTIALLY IN ACCORD WITH PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioners de la Fe and Chairman Murphy seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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The Commission went into recess at 10:38 p.m. and reconvened in the Board Auditorium at 10:44 p.m.

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RZ 2005-SU-007 - CARL BERNSTEIN, TRUSTEE AND HORACIO
MAGALHAES, TRUSTEES - Appl. to rezone from R-1 and WS to R-
8 and WS to permit residential development at a density of 6.29
dwelling units per acre (du/ac). Located on the E. side of O'Day Dr.
approx. 1,000 ft. N. of its intersection with Lee Hwy. on approx. 1.75
ac. of land. Comp. Plan Rec: 5-8 du/ac. Tax Map 54-3 ((2)) 47.
SULLY DISTRICT. PUBLIC HEARING.

Mark Jenkins, Esquire, of Mark G. Jenkins, PC, reaffirmed the affidavit dated August 15, 2005. There were no disclosures by Commission members.

Aaron Shriber, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Mr. Jenkins noted that the applicant had met several times with community groups and the Western Fairfax Citizens Association's (WFCCA) Land Use Committee, who had recommended approval of the application. He explained that the application would protect the existing vegetation; add most of the new improvements in cleared areas; maximize tree preservation areas as indicated in an extensive tree preservation proffer; and provide substantial open space and a well-designed landscape plan, including an effective buffer along the neighboring properties. He said the proposed fencing would serve as a barrier and a safety railing for the retaining walls and would lower the elevation of the site, contributing to the effective insulation of the site and reducing the impacts on the neighboring properties. Mr. Jenkins indicated that Sully District Supervisor Michael Frey's Office staff had suggested that the proposed trail extension be asphalt for maintenance reasons. He stated that the applicant had requested easements from the Fairfax County Housing Authority, owner of the adjacent property to the south, to reroute a sewer line and a trail extension in order to avoid harming two large tulip poplar trees, adjacent to the stream valley park. He noted that the applicant would make monetary contributions to the Fairfax County Park Authority, public schools, and the Centreville Road Fund. He said the applicant had satisfied the site distance standards required by the Virginia Department of Transportation (VDOT) and the Fairfax County Department of Transportation. Mr. Jenkins indicated that a proffer would be added that stated that the applicant would enter into discussions with the Woodgate Manor Community Association for a possible merger of the two associations, as requested by the WFCCA. He said the applicant would address issues regarding Proffer Number 13 about blasting.

In response to questions from Commissioner Byers, Mr. Shriber noted that the Resource Protection Area (RPA) and Environmental Quality Corridor (EQC) were located near the stormwater management facility. Mr. Jenkins said the RPA and EQC were associated with the stream valley and floodplain for Big Rocky Run and not the small stream on the northern boundary. Kristen Abrahamson, ZED, DPZ, added that the stream was not an intermittent stream, but a swale.

Mr. Jenkins responded to questions from Commissioner Wilson regarding the grasscrete turn-around area, the location of the two tulip polar trees, the sanitary sewer easement, and the riprap of the dry pond.

Commissioner Koch recommended that the applicant proffer contributions toward the “Green Door” program hosted by the Housing Authority on its adjacent property. Mr. Jenkins agreed.

Chairman Murphy called for the first listed speaker.

Hong Zhang, 6079 O’Day Drive, Centreville, expressed opposition due to the proximity of the proposed development and retaining wall to his home.

Karen Wedekindt, 14510 Woodgate Manor Circle, Centreville, also opposed the application. She suggested that the density be further reduced and the entrance of the proposed development be moved to the crest of the hill.

Responding to a question from Commissioner Alcorn, Mr. Shriber explained that while the initial application proposed 7.47 dwelling units per acre, which was at the high-end of the density range, the current application proposed 5.71 dwelling units per acre, which was at the low-end of the range. Therefore, staff believed it was in conformance with the Comprehensive Plan since the subject property was the last remaining undeveloped property in the vicinity.

Carter Skinner, 14510 Woodgate Manor Circle, Centreville, spoke in opposition to the application due to proximity of the proposed development to Mr. Zhang’s home and adverse impact of the retaining wall on the tree save area. He indicated that Mr. Jenkins had referred to the width of the existing vegetative buffer as 25 feet, but claimed that it had been referred to as 20 feet on page 4 of the staff report. Commissioner Koch responded that the initial application had proposed a 20-foot wide buffer, but said the applicant had to reduce it due to concerns about tree save and positioning of the roadway.

Anna Davila, 14504 Woodgate Manor Circle, Centreville, voiced her objection to the proposal, citing decreased quality of life, insufficient contributions for road improvements and public facilities, inadequate lot size, and excessive size of the townhouses.

Segundo Davila, 14504 Woodgate Manor Circle, Centreville, expressed opposition to the application due to lack of visibility of the entrance sign to the Woodgate Manor community, insufficient contributions for public facilities, and unsafe conditions on O’Day Drive.

In response to a question from Commissioner Koch, Mr. Shriber stated that the access to the proposed development on O’Day Drive adequately met the site distance standards required by VDOT.

Commissioner Lawrence recommended that staff informally ask VDOT whether cautionary signage could be erected on the slope on O’Day Drive.

Responding to a question from Commissioner Hart, Mr. Shriber explained that the proposed frontage improvements on O'Day Drive would lower the grade and remove obtrusive vegetation.

Richard Moss, 6100 Rocky Way Court, Centreville, Vice President of the Barros Manor Homeowners Association, spoke in opposition to the proposed development, citing increased traffic, aggravated road conditions and speeding on O'Day Drive, inadequate site distance, insufficient parking, abandoned vehicles in the neighborhood, potential flooding problems, deficient sewer drainage, and lack of flow rates. He suggested the following: the environmental impact of the development be reassessed, drawings of the townhomes be provided, the number of police officers patrolling the neighborhood be increased, O'Day Drive be widened along the hill near the stop sign, a contiguous sidewalk be added, O'Day Drive be closed to Lee Highway traffic, and speed bumps be constructed on O'Day Drive. He expressed support for the proposed funding of the pedestrian asphalt trail.

Chairman Murphy suggested that the Barros Manor Homeowners Association speak with the Police Department about developing a Neighborhood Watch program and having parking enforcement officers tag and remove the illegal vehicles parked in the neighborhood.

Commissioner Hart said he believed the applicant had committed to provide connections along O'Day Drive so there would be a contiguous sidewalk in both directions.

Commissioner Lawrence recommended that the Barros Manor Homeowners Association consider introducing traffic-calming measures on O'Day Drive.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Jenkins.

Mr. Jenkins stated that the Generalized Development Plan had shown a sidewalk connection on both sides of O'Day Drive. He noted that preliminary engineering had determined that the application met the requirements for stormwater management. He suggested that anyone who had technical questions about site distance, speak to Matthew Marshall, the applicant's engineer with Land Design Consultants, Inc. He said the grading would improve the site and validate that all the criteria had been met. Mr. Jenkins stated that the applicant would take all necessary measures to protect the trees, as indicated in the tree preservation proffer, and noted that the retaining wall on the north side of the site would prohibit extended grading into the tree preservation area. He said the applicant had met five times with Mr. Zhang to address his concerns and had worked hard to create a planting scheme, as depicted on sheet 3A of the Conceptual Landscape Plan in the staff report. He claimed that there would be a distance of approximately 43 feet from the rear of the subject units to the garage side of Mr. Zhang's parcel. Mr. Jenkins explained that Proffer Number 12(C) prohibited the expansion of townhouse uses not permitted by the Zoning Ordinance and required that the homeowner association documents include notification to each purchaser of the lots of the rear yard deck restrictions. He said the eight-foot tall holly trees planted every eight feet on the center line and the retaining wall would provide effective screening, noting that the wall would not be visible from Mr. Zhang's parcel.

In response to questions from Commissioner Wilson, Mr. Jenkins explained that eight feet was the maximum potential height of the retaining wall, which had fencing on top to act as the safety railing. He indicated that the hollies would be located between the fencing and the common boundary line, which was approximately 11 feet. He pointed out that Proffer Number 12(A) obligated the homeowners association to maintain the area, including the hollies.

Chairman Murphy called for concluding staff remarks from Mr. Shriber, who declined. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, he closed the public hearing and recognized Commissioner Koch for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Koch MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON RZ 2005-SU-007 TO A DATE CERTAIN OF OCTOBER 26, 2005, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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The meeting was adjourned at 11:58 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Kara A. DeArrastia

Approved on: _____

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission